

Court of Appeals, State of Michigan

ORDER

George P Asker v WXZ Retail Group/Greenfield LLC

Docket No. 303529

LC No. 06-625093-CZ

Karen M. Fort Hood
Presiding Judge

Kirsten Frank Kelly

Christopher M. Murray
Judges

The Court orders that the motions for immediate consideration and motion to reply to the answer to the motion for stay are GRANTED.

The Court further orders that the motion for stay is GRANTED IN PART. The ordered demolition of the buildings is STAYED pending the conclusion of this appeal or further order of this Court. The ordered changes to the parking area to enforce compliance with deed restriction 3 are not stayed because review of the trial court's decision with respect to the parking area is outside the scope of this appeal, any issue challenging the trial court's December 30, 2008, order with respect to the parking area having been waived for failure to raise the issue by cross appeal in the prior appeal. *Vanderwall v Midkiff*, 186 Mich App 191, 201-202; 463 NW2d 219 (1990); *People v Jones*, 394 Mich 434; 231 NW2d 649 (1975).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

May 5, 2011
Date


Chief Clerk